



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 23, 2023

By ECF

The Honorable Barbara C. Moses
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *Gaynor v. United States of America*, No. 22 Civ. 9090 (BCM)

Dear Judge Moses:

This Office represents the United States of America (the “Government”) in the above-referenced Federal Tort Claims Act action. I write jointly with Plaintiff to request an adjournment *sine die* of the mediation that the Court ordered to take place in August 2023. *See* Dkt. No. 30. The Government believes that more discovery is necessary before a mediation can be productive, and the parties will write to the Court to reschedule the mediation after some discovery has been taken.

I thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Alyssa B. O’Gallagher
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Application GRANTED. The parties shall inform the Court-annexed Mediation Program that the mediation need not take place in August 2023. SO ORDERED.

Barbara Moses
United States Magistrate Judge
August 24, 2023